

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

CAROL ANN HERTZOG,

Plaintiff,

v.

MT. CARMEL TOWNSHIP and
BRYAN POLIFKA,

Defendants.

No. 4:23-CV-01572

(Chief Judge Brann)

ORDER

OCTOBER 6, 2023

In accordance with the accompanying Memorandum Opinion, **IT IS HEREBY ORDERED** that:

1. Hertzog's motion to proceed *in forma pauperis* (Doc. 4) is **GRANTED**;
2. Hertzog's amended complaint (Doc. 7) is **DISMISSED** without prejudice;
3. Hertzog's motion for a temporary restraining order (Doc. 8) is **DENIED** without prejudice; and
4. Hertzog may refile this action in state court or, if she wishes, file before this Court, within 30 days of the date of this Order, a second amended complaint that addresses the deficiencies identified in the Court's accompanying Memorandum Opinion.

BY THE COURT:

s/ Matthew W. Brann

Matthew W. Brann
Chief United States District Judge